

AMENDED IN ASSEMBLY APRIL 20, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 2372

**Introduced by Committee on Public Safety (Hertzberg
(Chair), Bowler, *Cunneen*, Goldsmith, House, Murray,
Napolitano, Perata, and Washington)**

February 20, 1998

An act to amend Sections 12000, 12001, 12005.5, 12081, and 12101 of the Health and Safety Code, to amend Section 6710 of the Labor Code, and to amend Sections 31600, 32000.5, and 34631.5 of the Vehicle Code, relating to explosives.

LEGISLATIVE COUNSEL'S DIGEST

AB 2372, as amended, Committee on Public Safety. Explosives.

(1) Existing law regulates the sale, use, transportation, and related conduct with respect to explosives, which are defined to include class A and class B explosives as classified by the United States Department of Transportation.

This bill would revise those definitions and related exemptions to apply to explosives in classes 1.1, 1.2, 1.3, 1.4, 1.5, or 1.6 as defined by that department, and explosives as defined in specified provisions of federal law. By expanding the definitions of existing crimes, the bill would create a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs

mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12000 of the Health and Safety
2 Code is amended to read:

3 12000. For the purposes of this part, “explosives”
4 means any substance, or combination of substances, the
5 primary or common purpose of which is detonation or
6 rapid combustion, and which is capable of a relatively
7 instantaneous or rapid release of gas and heat, or any
8 substance, the primary purpose of which, when
9 combined with others, is to form a substance capable of
10 a relatively instantaneous or rapid release of gas and heat.
11 “Explosives” includes, but is not limited to, any explosives
12 as defined in Title 18 of the United States Code and Title
13 27 of the Code of Federal Regulations, and any of the
14 following:

15 (a) Dynamite, nitroglycerine, picric acid, lead azide,
16 fulminate of mercury, black powder, smokeless powder,
17 propellant explosives, detonating primers, blasting caps,
18 or commercial boosters.

19 (b) Substances determined to be class 1.1, class 1.2,
20 class 1.3, and class 1.6 explosives as classified by the United
21 States Department of Transportation under the United
22 Nations guidelines.

23 (c) Nitro carbo nitrate substances (blasting agent)
24 classified as class 1.5 explosives by the United States
25 Department of Transportation under the United Nations
26 guidelines.

27 (d) Any material designated as an explosive by the
28 State Fire Marshal. The designation shall be made
29 pursuant to the classification standards established by the
30 United States Department of Transportation. The State
31 Fire Marshal shall adopt regulations in accordance with

1 the Government Code to establish procedures for the
2 classification and designation of explosive materials or
3 explosive devices that are not under the jurisdiction of the
4 United States Department of Transportation pursuant to
5 provisions of Title 18 of the United States Code and Title
6 27 of the Code of Federal Regulations that define
7 explosives.

8 (e) Certain class 1.4 explosives as designated by the
9 United States Department of Transportation under the
10 United Nations guidelines when listed in regulations
11 adopted by the State Fire Marshal.

12 (f) For the purposes of this part, “explosives” does not
13 include any destructive device, as defined in Section
14 12301 of the Penal Code, nor does it include ammunition
15 or small arms primers manufactured for use in shotguns,
16 rifles, and pistols.

17 SEC. 2. Section 12001 of the Health and Safety Code
18 is amended to read:

19 12001. This part does not apply to any of the following:

20 (a) Any person engaged in the transportation of
21 explosives regulated by, and when subject to, the
22 provisions of Division 14 (commencing with Section
23 31600) of the Vehicle Code.

24 (b) Small arms ammunition of .75 caliber or less when
25 designated as a class 1.4 explosive by the United States
26 Department of Transportation.

27 (c) Fireworks regulated under Part 2 (commencing
28 with Section 12500) of this division, including, but not
29 limited to, special effects pyrotechnics regulated by the
30 State Fire Marshal pursuant to Section 12555.

31 (d) Any explosives while in the course of
32 transportation via railroad, aircraft, water, or highway
33 when the explosives are in actual movement and under
34 the jurisdiction of and in conformity with regulations
35 adopted by the United States Department of
36 Transportation, United States Coast Guard, or the
37 Federal Aviation Agency. However, no explosives shall
38 be sold, given away, or delivered except as provided in
39 Section 12120.

(e) Special fireworks classified by the United States Department of Transportation as class 1.3 explosives when those special fireworks are regulated under Part 2 (commencing with Section 12500) of this division, when a permit has been issued pursuant to regulations of the State Fire Marshal.

(f) (1) Black powder in quantities of 25 pounds or less in the hands of a retailer having a permit issued under Article 2 (commencing with Section 6066) of Chapter 2 of Part 1 of Division 2 of the Revenue and Taxation Code and in quantities of five pounds or less in the hands of all others and smokeless powder in quantities of 20 pounds or less used, possessed, stored, sold, or transported that is exempted under, or authorized by, the Federal Organized Crime Control Act of 1970 (Public Law 91-452) and applicable federal regulations thereunder.

(2) All cities, counties, and special districts and county service areas providing fire protection shall require retailers in possession of black powder to notify fire authorities.

SEC. 3. Section 12005.5 of the Health and Safety Code is amended to read:

12005.5. (a) This part shall not apply to the possession, handling, storage, transportation, or use of not more than 10 pounds of blasting agents (class 1.5 explosives), two pounds of class 1.1, 1.2, or 1.3 explosives, or 1,000 feet of detonating cord, or any combination thereof, by authorized employees of the Department of Transportation, acting within the scope of their employment, in the pursuit of seismic explorations.

(b) The Department of Transportation may not undertake that seismic exploration, unless the fire authority having jurisdiction in the area of the proposed seismic exploration has received a written notice from the department at least 48 hours prior to the commencement of the seismic exploration. The notice shall include the time and location of the proposed seismic exploration. In addition, the employee supervising the proposed seismic exploration, or his *or her* designated representative, shall consult with the fire authority to determine if the

1 proposed handling, storage, transportation, or use of
2 explosives would constitute an unreasonable hazard to
3 life or property. If the fire authority determines that such
4 a hazard would arise, the department shall not engage in
5 that handling, storage, transportation, or use of
6 explosives.

7 (c) The state shall be strictly liable for any injury to any
8 person or property proximately caused by the handling,
9 storage, transportation, or use of explosives by the
10 Department of Transportation for the purpose of
11 conducting seismic exploration. All claims for damages
12 against the state arising under this section are governed
13 by the procedures set forth in Part 3 (commencing with
14 Section 900) and Part 4 (commencing with Section 940)
15 of Division 3.6 of Title 1 of the Government Code.

16 SEC. 4. Section 12081 of the Health and Safety Code
17 is amended to read:

18 12081. Except as limited by Chapter 6 (commencing
19 with Section 140) of Division 1 of the Labor Code and
20 Section 18930, the State Fire Marshal shall prepare and
21 adopt, in accordance with Chapter 3.5 (commencing at
22 Section 11340) of Part 1 of Division 3 of Title 2 of the
23 Government Code, reasonable regulations that are not in
24 conflict with this part, relating to the sale, use, handling,
25 possession, and storage of explosives.

26 The building standards adopted and submitted for
27 approval pursuant to Chapter 4 (commencing with
28 Section 18935) of Part 2.5 of Division 13 and the other
29 regulations adopted by the State Fire Marshal shall do all
30 of the following:

31 (a) Make reasonable allowances for storage facilities in
32 existence when the regulations become effective. No
33 allowance, however, shall be made for storage facilities
34 which constitute a distinct hazard to life and property,
35 nor shall any allowance be made for storage facilities
36 wherein proper safeguards for the control and security of
37 explosives cannot be maintained.

38 (b) Be based on performance standards wherever
39 possible.

1 (c) Make reasonable allowances for the storage of
2 gunpowder for commercial and private use. No
3 allowance, however, shall be made for storage facilities
4 which constitute a distinct hazard to life and property,
5 nor shall any allowance be made for storage facilities
6 wherein proper safeguards for the control and security of
7 explosives cannot be maintained.

8 (d) Set uniform requirements for the use and handling
9 of explosives that would apply statewide.

10 (e) The building standards published in the California
11 Building Standards Code relating to storage of explosives
12 and the other regulations adopted by the State Fire
13 Marshal pursuant to this section shall apply uniformly
14 throughout the state, and no city, county, city and county,
15 or other political subdivision of this state, including, but
16 not limited to, a chartered city, county, or city and county,
17 shall adopt or enforce any ordinance or regulation that is
18 inconsistent with this section.

19 (f) In making the regulations, the State Fire Marshal
20 shall consider as evidence of generally accepted safety
21 standards the publications of the National Fire Protection
22 Association, the United States Bureau of Mines, the
23 United States Department of Defense, and the Institute
24 of Makers of Explosives.

25 (g) The regulations shall establish standards relating
26 to the size, form, contents, and location of caution
27 placards to be placed on or near storage facilities for class
28 1.1, 1.2, and 1.3 explosives as set forth in Article 77 of the
29 Uniform Fire Code of the International Conference of
30 Building Officials and the Western Fire Chiefs
31 Association, Inc. or similar standards that are consistent
32 with the United States Department of Transportation
33 classifications under the United Nations guidelines, or for
34 any explosives as defined in Title 18 of the United States
35 Code and Title 27 of the Code of Federal Regulations.

36 SEC. 5. Section 12101 of the Health and Safety Code
37 is amended to read:

38 12101. (a) No person shall do any one of the following
39 without first having made application for and received a
40 permit in accordance with this section:

1 (1) Manufacture explosives.

2 (2) Sell, furnish, or give away explosives.

3 (3) Receive, store, or possess explosives.

4 (4) Transport explosives.

5 (5) Use explosives.

6 (6) Operate a terminal for handling explosives.

7 (7) Park or leave standing any vehicle carrying
8 explosives, except when parked or left standing in or at
9 a safe stopping place designated as such by the
10 Department of the California Highway Patrol under
11 Division 14 (commencing with Section 31600) of the
12 Vehicle Code.

13 (b) Application for a permit shall be made to the
14 appropriate issuing authority.

15 (c) (1) A permit shall be obtained from the issuing
16 authority having the responsibility in the area where the
17 activity, as specified in subdivision (a), is to be conducted.

18 (2) If the person holding a valid permit for the use or
19 storage of explosives desires to purchase or receive
20 explosives in a jurisdiction other than that of intended use
21 or storage, the person shall first present the permit to the
22 issuing authority in the jurisdiction of purchase or receipt
23 for endorsement. The issuing authority may include any
24 reasonable restrictions or conditions which the authority
25 finds necessary for the prevention of fire and explosion,
26 the preservation of life, safety, or the control and security
27 of explosives within the authority's jurisdiction. If, for any
28 reason, the issuing authority refuses to endorse the permit
29 previously issued in the area of intended use or storage,
30 the authority shall immediately notify both the issuing
31 authority who issued the permit and the Department of
32 Justice of the fact of the refusal and the reasons for the
33 refusal.

34 (3) Every person who sells, gives away, delivers, or
35 otherwise disposes of explosives to another person shall
36 first be satisfied that the person receiving the explosives
37 has a permit valid for that purpose. When the permit to
38 receive explosives indicates that the intended storage or
39 use of the explosives is other than in that area in which the
40 permittee receives the explosives, the person who sells,

1 gives away, delivers, or otherwise disposes of the
2 explosives shall insure that the permit has been properly
3 endorsed by a local issuing authority and, further, shall
4 immediately send a copy of the record of sale to the
5 issuing authority who originally issued the permit in the
6 area of intended storage or use. The issuing authority in
7 the area in which the explosives are received or sold shall
8 not issue a permit for the possession, use, or storage of
9 explosives in an area not within the authority's
10 jurisdiction.

11 (d) In the event any person desires to receive
12 explosives for use in an area outside of this state, a permit
13 to receive the explosives shall be obtained from the State
14 Fire Marshal.

15 (e) A permit may include any restrictions or
16 conditions which the issuing authority finds necessary for
17 the prevention of fire and explosion, the preservation of
18 life, safety, or the control and security of explosives.

19 (f) A permit shall remain valid only until the time
20 when the act or acts authorized by the permit are
21 performed, but in no event shall the permit remain valid
22 for a period longer than one year from the date of
23 issuance of the permit.

24 (g) Any valid permit which authorizes the
25 performance of any act shall not constitute authorization
26 for the performance of any act not stipulated in the
27 permit.

28 (h) An issuing authority shall not issue a permit
29 authorizing the transportation of explosives pursuant to
30 this section if the display of placards for that
31 transportation is required by Section 27903 of the Vehicle
32 Code, unless the driver possesses a license for the
33 transportation of hazardous materials issued pursuant to
34 Division 14.1 (commencing with Section 32000) of the
35 Vehicle Code, or the explosives are a hazardous waste or
36 extremely hazardous waste, as defined in Sections 25117
37 and 25115 of the Health and Safety Code, and the
38 transporter is currently registered as a hazardous waste
39 hauler pursuant to Section 25163 of the Health and Safety
40 Code.

1 (i) An issuing authority shall not issue a permit
2 pursuant to this section authorizing the handling or
3 storage of class 1.1, 1.2, or 1.3 explosives in a building,
4 unless the building has caution placards which meet the
5 standards established pursuant to subdivision (g) of
6 Section 12081.

7 (j) (1) A permit shall not be issued to a person who
8 meets any of the following criteria:

9 (A) He or she has been convicted of a felony.

10 (B) He or she is addicted to a narcotic drug.

11 (C) He or she is in a class prohibited by Section 8100
12 or 8103 of the Welfare and Institutions Code or Section
13 12021 or 12021.1 of the Penal Code.

14 (2) For purposes of determining whether a person
15 meets any of the criteria set forth in this subdivision, the
16 issuing authority shall obtain two sets of fingerprints on
17 prescribed cards from all persons applying for a permit
18 under this section and shall submit these cards to the
19 Department of Justice. The Department of Justice shall
20 utilize the fingerprint cards to make inquiries both within
21 this state and to the Federal Bureau of Investigation
22 regarding the criminal history of the applicant identified
23 on the fingerprint card.

24 This paragraph does not apply to any person possessing
25 a current certificate of eligibility issued pursuant to
26 paragraph (4) of subdivision (a) of Section 12071.

27 (k) An issuing authority shall inquire with the
28 Department of Justice for the purposes of determining
29 whether a person who is applying for a permit meets any
30 of the criteria specified in subdivision (j). The
31 Department of Justice shall determine whether a person
32 who is applying for a permit meets any of the criteria
33 specified in subdivision (j) and shall either grant or deny
34 clearance for a permit to be issued pursuant to the
35 determination. The Department of Justice shall not
36 disclose the contents of a person's records to any person
37 who is not authorized to receive the information in order
38 to ensure confidentiality.

39 SEC. 6. Section 6710 of the Labor Code is amended to
40 read:

6710. (a) At every place of employment where explosives are used in the course of employment, there shall be a person licensed pursuant to Chapter 3 (commencing with Section 7990) of Part 9 , to supervise and visually direct the blasting operation.

(b) For the purposes of this section, “explosives” shall include, but not be limited to, class 1.1, 1.2, or 1.3 explosives, blasting caps, detonating cord, and charges or projectiles used in the control of avalanches. For the purposes of this section, “explosives” shall not include small arms ammunition or class 1.4 explosives such as explosive powerpacks in the form of explosive cartridges or explosive-charged construction devices, explosive rivets, bolts, and charges for driving pins and studs, and cartridges for explosive-actuated power devices.

(c) This section shall not apply to persons, firms, or corporations licensed pursuant to Part 2 (commencing with Section 12500) of Division 11 of the Health and Safety Code.

SEC. 7. Section 31600 of the Vehicle Code is amended to read:

31600. For the purposes of this division “explosive” or “explosives” means any substance, or combination of substances, the primary or common purpose of which is detonation or rapid combustion and which is capable of a relatively instantaneous or rapid release of gas and heat. “Explosive” or “explosives” includes, but is not necessarily limited to, explosives as defined in Section 12000 of the Health and Safety Code, and any of the following:

(a) Dynamite, nitroglycerine, picric acid, lead azide, fulminate of mercury, black powder, smokeless powder, propellant explosives, detonating primers, blasting caps, commercial boosters, ammonium nitrate-fuel oil mixture (blasting agent), or any explosives as defined in Title 18 of the United States Code or Title 27 of the Code of Federal Regulations, when transported in a combined load with any explosive, as defined in this section.

(b) Substances determined to be class 1.1, class 1.2, class 1.3, or class 1.6 explosives as classified by the United

1 States Department of Transportation under the United
2 Nations guidelines.

3 (c) “Explosive” or “explosives” does not include small
4 arms ammunition or any other class 1.4 explosive.

5 (d) This division shall not apply to special fireworks
6 classified by the United States Department of
7 Transportation as class 1.2 or class 1.3 explosives when
8 those special fireworks are regulated by and in
9 conformance with Part 2 (commencing with Section
10 12500) of Division 11 of the Health and Safety Code.

11 (e) Nothing in this chapter supersedes any regulations
12 for the transportation of hazardous materials as defined
13 in Section 2402.7 or as regulated in Division 14.1
14 (commencing with Section 32000).

15 SEC. 8. Section 32000.5 of the Vehicle Code is
16 amended to read:

17 32000.5. (a) Every motor carrier who directs the
18 transportation of an explosive and, on and after July 1,
19 1982, any motor carrier who directs the transportation of
20 a hazardous material, who is required to display placards
21 pursuant to Section 27903, and every motor carrier who
22 transports for a fee in excess of 500 pounds of hazardous
23 materials of the type requiring placards pursuant to
24 Section 27903, shall be licensed in accordance with the
25 provisions of this code, unless specifically exempted by
26 this code or regulations adopted pursuant to this code.
27 This license shall be available for examination and shall be
28 displayed in accordance with the regulations adopted by
29 the commissioner.

30 (b) This division does not apply to any person hauling
31 only hazardous waste, as defined in Section 25115 or 25117
32 of the Health and Safety Code, and who is registered
33 pursuant to subdivision (a) of Section 25163 of the Health
34 and Safety Code or who is exempt from that registration
35 pursuant to subdivision (b) of that section.

36 (c) This division does not apply to implements of
37 husbandry, as defined in Section 36000.

38 (d) This division does not apply to the hauling of class
39 1.3 explosives classified as special fireworks or to class 1.4
40 explosives classified as common fireworks by the United

1 States Department of Transportation if those fireworks
2 are transported by a motor carrier under the authority of,
3 and in conformance with, a license issued to the motor
4 carrier by the State Fire Marshal pursuant to Part 2
5 (commencing with Section 12500) of Division 11 of the
6 Health and Safety Code. In that case, a copy of the license
7 shall be carried in the vehicle and presented to any peace
8 officer upon request.

9 SEC. 9. Section 34631.5 of the Vehicle Code is
10 amended to read:

11 34631.5. (a) (1) Every motor carrier of property as
12 defined in Section 34601, except those subject to
13 paragraph (2), (3), or (4), shall provide and thereafter
14 continue in effect adequate protection against liability
15 imposed by law upon those carriers for the payment of
16 damages in the amount of a combined single limit of not
17 less than seven hundred fifty thousand dollars (\$750,000)
18 on account of bodily injuries to, or death of, one or more
19 persons, or damage to or destruction of, property other
20 than property being transported by the carrier for any
21 shipper or consignee whether the property of one or
22 more than one claimant in any one accident.

23 (2) Every motor carrier of property, as defined in
24 Section 34601, who operates only vehicles under 10,000
25 pounds gross vehicle weight rating (GVWR) and who
26 does not transport any commodity subject to paragraph
27 (3) or (4), shall provide and thereafter continue in effect
28 adequate protection against liability imposed by law for
29 the payment of damages caused by bodily injuries to or
30 the death of any person; or for damage to or destruction
31 of property of others, other than property being
32 transported by the carrier, in an amount not less than
33 three hundred thousand dollars (\$300,000).

34 (3) Every intrastate motor carrier of property, as
35 defined in Section 34601, who transports petroleum
36 products in bulk, including waste petroleum and waste
37 petroleum products, shall provide and thereafter
38 continue in effect adequate protection against liability
39 imposed by law upon the carrier for the payment of
40 damages for personal bodily injuries (including death

1 resulting therefrom) in the amount of not less than five
2 hundred thousand dollars (\$500,000) on account of bodily
3 injuries to, or death of, one person; and protection against
4 a total liability of those carriers on account of bodily
5 injuries to, or death of more than one person as a result
6 of any one accident, but subject to the same limitation for
7 each person in the amount of not less than one million
8 dollars (\$1,000,000); and protection in an amount of not
9 less than two hundred thousand dollars (\$200,000) for one
10 accident resulting in damage to or destruction to
11 property other than property being transported by the
12 carrier for any shipper or consignee, whether the
13 property of one or more than one claimant; or a combined
14 single limit in the amount of not less than one million two
15 hundred thousand dollars (\$1,200,000) on account of
16 bodily injuries to, or death of, one or more person or
17 damage to or destruction of property, or both, other than
18 property being transported by the carrier for any shipper
19 or consignee whether the property of one or more than
20 one claimant in any one accident.

21 (4) Except as provided in paragraph (3), every motor
22 carrier of property, as defined in Section 34601, that
23 transports any hazardous material, as defined by Section
24 353, shall provide and thereafter continue in effect
25 adequate protection against liability imposed by law on
26 those carriers for the payment of damages for personal
27 injury or death, and damage to or destruction of property,
28 in amounts of not less than the minimum levels of
29 financial responsibility specified for carriers of hazardous
30 materials by the United States Department of
31 Transportation in Part 387 (commencing with Section
32 387.1) of Title 49 of the Code of Federal Regulations. The
33 applicable minimum levels of financial responsibility
34 required are as follows:

1		Combined
2		Single Limit
3	Commodity Transported:	Coverage
4	(A) Oil listed in Section 172.101 of Title 49 of	\$1,000,000
5	the Code of Federal Regulations; or	
6	hazardous waste, hazardous materials and	
7	hazardous substances defined in Section	
8	171.8 of Title 49 of the Code of Federal	
9	Regulations and listed in Section 172.101 of	
10	Title 49 of the Code of Federal	
11	Regulations, but not mentioned in	
12	subparagraph (C) or (D).	
13	(B) Hazardous waste as defined in Section	\$1,000,000
14	25117 of the Health and Safety Code and	
15	in Article 1 (commencing with Section	
16	66261.1) of Chapter 11 of Division 4.5 of	
17	Title 22 of the California Code of	
18	Regulations, but not mentioned in	
19	subparagraph (C) or (D).	
20	(C) Hazardous substances, as defined in	\$5,000,000
21	Section 171.8 of Title 49 of the Code of	
22	Federal Regulations, or liquefied	
23	compressed gas or compressed gas,	
24	transported in cargo tanks, portable tanks,	
25	or hopper-type vehicle with capacities in	
26	excess of 3,500 water gallons.	
27	(D) Any quantity of class 1.1, 1.2, or 1.3	\$5,000,000
28	explosives; any quantity of poison gas	
29	(Poison A); or highway route controlled	
30	quantity radioactive materials as	
31	defined in Section 173.403 of Title 49	
32	of the Code of Federal Regulations.	
33		
34	(b) (1) The protection required under subdivision	
35	(a) shall be evidenced by the deposit with the	
36	department, covering each vehicle used or to be used in	
37	conducting the service performed by each motor carrier	
38	of property, an authorized certificate of public liability	
39	and property damage insurance, issued by a company	
40	licensed to write the insurance in the State of California,	

1 or by a nonadmitted insurer subject to Section 1763 of the
2 Insurance Code.

3 (2) The protection required under subdivision (a) by
4 every motor carrier of property engaged in interstate or
5 foreign transportation of property in or through
6 California, shall be evidenced by the filing and
7 acceptance of a department authorized certificate of
8 insurance, or qualification as a self-insurer as may be
9 authorized by law.

10 (3) A certificate of insurance, evidencing the
11 protection, shall not be cancelable on less than 30 days'
12 written notice to the department, the notice to
13 commence to run from the date notice is actually
14 received at the office of the department in Sacramento.

15 (4) Every insurance certificate or equivalent
16 protection to the public shall contain a provision that the
17 certificate or equivalent protection shall remain in full
18 force and effect until canceled in the manner provided by
19 paragraph (3).

20 (5) Upon cancellation of an insurance certificate or
21 the cancellation of equivalent protection authorized by
22 the Department of Motor Vehicles, the motor carrier
23 permit of any motor carrier of property, shall stand
24 suspended immediately upon the effective date of the
25 cancellations.

26 (6) No carrier shall engage in any operation on any
27 public highway of this state during the suspension of its
28 permit.

29 (7) No motor carrier of property, whose permit has
30 been suspended under paragraph (5) shall resume
31 operations unless and until the carrier has filed an
32 insurance certificate or equivalent protection in effect at
33 the time and that meets the standards set forth in this
34 section. The operative rights of the complying carriers
35 shall be reinstated from suspension upon the filing of an
36 insurance certificate or equivalent protection.

37 (8) In order to expedite the processing of insurance
38 filings by the department, each insurance filing made
39 should contain the insured's California carrier number, if
40 known, in the upper right corner of the certificate.

1 SEC. 10. No reimbursement is required by this act
2 pursuant to Section 6 of Article XIII B of the California
3 Constitution because the only costs that may be incurred
4 by a local agency or school district will be incurred
5 because this act creates a new crime or infraction,
6 eliminates a crime or infraction, or changes the penalty
7 for a crime or infraction, within the meaning of Section
8 17556 of the Government Code, or changes the definition
9 of a crime within the meaning of Section 6 of Article
10 XIII B of the California Constitution.

11 Notwithstanding Section 17580 of the Government
12 Code, unless otherwise specified, the provisions of this act
13 shall become operative on the same date that the act
14 takes effect pursuant to the California Constitution.

